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April 22, 2023

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Pamela K. Chen, U.S.D.J.
225 Cadman Plaza East
Courtroom 4F North
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, *et al.*
Case No.: 1:22-cv-1032 (PKC) (JRC)
MLLG File No.: 25-2022

Dear Judge Chen:

This office represents the Plaintiff IME WatchDog, Inc. (“Plaintiff”) in the above-referenced case. Plaintiff writes to request an extension of time of one (1) week to file its amended complaint.

Relevant Procedural History

On March 20, 2023, Defendants Anthony Bridda (“Bridda”), Gregory Elefterakis (“Elefterakis”), and Roman Pollak (“Pollak”) (Bridda, Elefterakis, and Pollak collectively hereinafter the “Defendants”) filed a letter motion for a pre-motion conference in anticipation of their motion to dismiss. See ECF Docket Entry 169. Plaintiff opposed on April 5, 2023. See ECF Docket Entry 186.

On April 7, 2023, this Court denied Defendants’ letter motion and granted Plaintiff leave to file an amended complaint within fourteen (14) days, i.e., April 21, 2023. See Text Only Order dated April 7, 2023.

On Friday at 4:55 PM, your undersigned sought Plaintiff’s consent for a one (1) week extension of time and has not received a response.

Good Cause Exists to Grant an Extension of Time to File a Reply Letter in Further Support

Consistent with ¶ 1(G) of this Court’s Individual Practices and Rules, Plaintiff respectfully submits that: (i) the current deadline to file an amended complaint was yesterday, April 21, 2023; (ii-iii) there have been no previous requests for an extension of time concerning this deadline; (iv) Defendants have not responded to Plaintiff’s request for consent; and (v) the requested extension does not affect any other scheduled Court appearance or deadline to Plaintiff’s knowledge.

The reason for the request is that Plaintiff needs additional time to prepare an amended complaint due to deadlines and appearances in other matters which prevented Plaintiff from seeking an extension of time earlier. Namely, and among other matters, your undersigned was engaged in six (6) meetings and conferences on Monday, an appearance in the New York County Supreme Court for a status conference which was four hours long on Tuesday, a bench trial in the Kings County Civil Court on Wednesday, and other motions and deadlines for the remainder of the week, all of which impeded on your undersigned's ability to earlier complete the amended complaint or prepare the instant application.

Accordingly, good cause and excusable neglect exist to warrant an extension of time of this deadline from April 21, 2023 to April 28, 2023 notwithstanding this Court's requirement to request any extension of a filing deadline at least two (2) working days prior to the filing deadline. See Fed. R. Civ. P. 6(b)(1)(B); see also ¶ 1(G) of this Court's Individual Practices and Rules.

Plaintiff thanks this Court for its time, attention, and anticipated courtesies in this case.

Dated: Lake Success, New York
April 22, 2023

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

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